

REMARKS

Claims 1-20 are currently pending in the application. Claims 1 and 12-13 have been amended. No claims have been canceled. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,067,522 to Warady et al. (“Warady”) in view of U.S. Patent No. 7,305,347 to Joao (“Joao”).

Independent claim 1 relates to a computer system for use in a web-based managed care transaction system. Applicant respectfully submits that the cited combination of Warady and Joao fails to disclose at least one of the distinguishing features of amended independent claim 1, namely, a web-based managed care transaction system adapted to enable, via a linked set of data tables, an administrative account to be moved across health plans of at least one member and their dependents throughout their life and that the web-based managed care transaction system is adapted to allow the at least one member to review, manage, and update the administrative account via a web browser, the administrative account comprising a history of health plans including past and present health plans of the at least one member and their dependents. In addition, the cited references fail to disclose that the administrative account is controlled by the at least one member allowing the at least one member to update the administrative account as frequently as needed. Furthermore, the cited references fail to disclose that the administrative account is updated by the at least one member from a single location at the at least one members convenience and that the administrative account is portable allowing the at least one member to move the administrative account with the at least one member in an event of a change of employers.

The Examiner acknowledges that Warady fails to disclose a web-based managed care transaction system adapted to enable, via a linked set of data tables, an administrative account to be moved across health plans of at least one member and their dependents throughout their life

and that the web-based managed care transaction system is adapted to allow the at least one member to review, manage, and update the administrative account via a web browser. The Office Action asserts that Joao teaches these features. Applicant respectfully disagrees, and points out that currently amended claims are not disclosed by Joao.

Joao discloses an apparatus and a method for allowing an *employee* to access or obtain benefits information from any location and at any time of day or night. Joao discloses providing individual benefits accounts that an *individual employee* may take *his or her* benefits plan from job to job (*See*. Joao Col. 5, lines 41-48). Applicant respectfully submits that Joao fails to disclose that the administrative account including a history of health plans of the at least one member and *their dependents* is portable allowing the at least one member to move the administrative account with the at least one member in the event of a change of employers. In contrast, according to Joao, only an *individual employee* can take his or her benefits plan from job to job. Joao is silent regarding allowing the at least one member to move a history of health plans of *both the individual employee and their dependents* as claimed.

In addition, Applicant respectfully submit that Joao fails to disclose that the administrative account is controlled by the at least one member allowing the at least one member to update the administrative account as frequently as needed. According to an exemplary embodiment, a core aspect of the invention is the idea of individuals and their dependents owning and controlling their administrative accounts and sharing data related to the administrative accounts with other organizations. In contrast, according to Joao, the administrative accounts are controlled by an organization and not the individuals as claimed.

Applicant respectfully submits that independent claim 1 distinguishes over the cited combination of Warady and Joao. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Dependent claims 2-11 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2-11 distinguish over Warady,

and Joao and are in condition for allowance. Withdrawal of the rejection of dependent claims 2-11 is respectfully requested.

Independent claim 12 relates to a web-based managed care transaction system accessible over a computer network using a client browser. Applicant respectfully submits that the cited combination of Warady and Joao fails to disclose that the web-based managed care transaction system is adapted to enable, via the linked set of data tables, an administrative account to be moved across health plans of the at least one member and their dependents throughout their life and that the web-based managed care transaction system is adapted to allow the at least one member to review, manage, and update the administrative account via the client browser, the administrative account comprising a history of health plans including past and present health plans of the at least one member and their dependents. In addition, the cited references fail to disclose that the administrative account is controlled by the at least one member allowing the at least one member to update the administrative account as frequently as needed. Furthermore, the cited references fail to disclose that the administrative account is updated by the at least one member from a single location at the at least one members convenience and that the administrative account is portable allowing the at least one member to move the administrative account with the at least one member in an event of a change of employers. Applicant submits that claim 12 patentably distinguishes over the cited references for similar reasons to those discussed above with respect to independent claim 1. Withdrawal of the rejection of independent claim 12 is respectfully requested.

Independent claim 13 relates to a network-based managed care system. Applicant respectfully submits that the cited combination of Warady and Joao fails to disclose at least one of the distinguishing features of amended independent claim 13, namely, that the network-based managed care system is adapted to enable, via the database, an administrative account to be moved across health plans of the at least one member and their dependents throughout their life and that the administrative account comprises a history of health plans including past and present health plans of the at least one member and their dependents. In addition, the cited references fail to disclose that the administrative account is controlled by the at least one member allowing

the at least one member to update the administrative account as frequently as needed. Furthermore, the cited references fail to disclose that the administrative account is updated by the at least one member from a single location at the at least one members convenience and that the administrative account is portable allowing the at least one member to move the administrative account with the at least one member in an event of a change of employers. Applicant submits that claim 13 patentably distinguishes over the cited references for similar reasons to those discussed above with respect to independent claims 1 and 12. Withdrawal of the rejection of independent claim 13 is respectfully requested.

Dependent claims 14-20 depend from and further restrict independent claim 13 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 13, dependent claims 14-20 distinguish over the cited references and are in condition for allowance. Withdrawal of the rejection of dependent claims 14-20 is respectfully requested.

In view of the above amendment, Applicant respectfully submits that the present application is in condition for allowance. A Notice to that effect is respectfully requested.

Dated: January 13, 2009

Respectfully submitted,

Electronic Signature: /Shoaib A. Mithani/
Shoaib A. Mithani

Registration No.: 61,654
WINSTEAD PC
P.O. Box 50784
Dallas, Texas 75201
(214) 745-5400
Attorneys For Applicant